

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

AUSTIN KOSIER, )  
                        )  
Plaintiff,           )  
                        )  
v.                     )              Case No. CIV-24-145-J  
                        )  
GARVIN COUNTY JAIL STAFF, et al.,   )  
                        )  
Defendants.          )

**ORDER**

Plaintiff, a prisoner appearing pro se, brings this action pursuant to 42 U.S.C. § 1983. The matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings consistent with 28 U.S.C. § 636. [Doc. No. 3]. On April 30, 2024, Judge Mitchell issued a Report and Recommendation recommending that this case be dismissed without prejudice based on Plaintiff's failure to follow the Court's rules and orders. [Doc. No. 8]. Plaintiff was advised of his right to object to the Report and Recommendation by May 21, 2024. No objection has been filed. Plaintiff has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 8] and DISMISSES this case without prejudice based on Plaintiff's failure to follow the Court's rules and orders.

IT IS SO ORDERED this 31<sup>st</sup> day of May, 2024.

  
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BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE